THE HON'BLE SRI JUSTICE C.V. RAMULU

Thursday, 16th November, 2006

W.P.No.22507 of 2006

Between:

M/s. R. Subba Raju … Petitioner

and

The Superintending Engineer,
Irrigation & Command Area Development
(I&CAD), BLIP (RLIP) Circle,
Pebbair, Mahabubnagar District
and others

… Respondents

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ORAL ORDER:

Learned counsel for the petitioner asserted that this Writ Petition can be disposed of in the light of the Judgment rendered in Writ Petition No.11913 of 2006, dated 23-10-2006.

The prayer in the Writ Petition is to declare the action of the 1st respondent in rejecting the representation of the petitioner by Proceedings dated 13-10-2006 as arbitrary and illegal and consequently to direct the respondents to revise the estimates in terms of Minutes of Board Meeting dated 30-1-2004 and 15-3-2004 along with relevant instructions issued by the Government from time to time on par with similarly situated persons in respect of the work relating to BLIP Lift II Yenukunta Balancing Reservoir Formation of Earth Dam from KM 0.000 to KM 1.475 including construction of Head Regulator at KM 0.125 Kothakota Mandal, Mahabubnagar District under Agreement No.21/BLIP/2004-05, dated 1-10-2004.

I have perused the Judgment in Writ Petition No.11913 of 2006, dated 23-10-2006. I am of the opinion that this Writ Petition also can be disposed of in the light of the above Judgment. In the circumstances, the impugned Proceedings are set aside and the respondents are directed to consider the case of the petitioner as per the resolution on Agenda Item No.8(vi) of the meeting of the Board of Chief Engineers held on 21-1-2004 and pass appropriate orders, within a period of four weeks from the date of receipt of a copy of this order.

Accordingly, the Writ Petition is disposed of. No order as to costs.

16-11-2006

prk